

**SHOREVIEW PLANNING COMMISSION  
MEETING MINUTES**

**January 26, 2010**

**CALL TO ORDER**

Chair Proud called the meeting of the January 26, 2010 Shoreview Planning Commission meeting to order at 7:00 p.m.

**ROLL CALL**

The following members were present: Chair Proud, Commissioners Feldsien, Ferrington, Schumer and Solomonson.

Commissioners Mons was absent.  
Commissioner Wenner arrived late.

**APPROVAL OF AGENDA**

MOTION: by Commissioner Schumer, seconded by Commissioner Feldsien to approve the agenda as submitted.

ROLL CALL: Ayes – 5 Nays - 0

**APPROVAL OF MINUTES**

Page 7: Chair Proud stated that he does not have a correction, but he would like to clarify that his comment on the brightness of signage means the percentage of ambient level. It could be less than 100% or more than 100%. His expectation is that it would be more than 100%.

MOTION: by Commissioner Feldsien, seconded by Commissioner Ferrington to approve the minutes for the December 22, 2009 Planning Commission meeting as submitted.

VOTE: Ayes - 5 Nays - 0

**REPORT ON CITY COUNCIL ACTIONS**

City Planner Kathleen Nordine reported that the City Council approved the comprehensive sign plan of PaR as recommended by the Planning Commission. This included the restricted lighting at night from 11:00 p.m. to 5:00 a.m.

At the January 19<sup>th</sup> meeting the City Council approved the two permits for Clearwire.

Commissioner Wenner arrived at this time.

**NEW BUSINESS****PUBLIC HEARING - TEXT AMENDMENT - CHAPTER 202/205.082**

**FILE NO.:** 2382-09-40  
**APPLICANT:** LINDA M. BASCHKY  
**LOCATION:** CITY WIDE

City Attorney Filla stated that he has reviewed the affidavits of publication and the public hearing is in order at this time.

**Presentation by Senior Planner Rob Warwick**

This application is for a text amendment for Chapter 202 of the Code and Chapter 601 regarding animal licensing. Currently, falcons are considered non-domestic animals and allowed only on properties of 2 acres or more in the R-1 and RE Districts. Falconers who are licensed by the state and federal government can keep raptors on these large lots in residential districts throughout the City. Falcons are also subject to a wild animal license regulations in Chapter 601. The proposed amendments would alter definitions. “Non-domestic animal” would be deleted and replaced with “farm animal.” Falconers would be allowed to keep raptors on residential properties of less than two acres. Accessory structures would have to conform to current standards for location, number and area, as well as meet State and Federal licensing requirements. Chapter 601 would be amended to be consistent with the definitions in Chapter 200. The Planning Commission is considering the proposed amendment to Chapter 200.

The permitting authority for keeping raptors is the U.S. Fish and Wildlife Service and the Minnesota Department of Natural Resources (DNR). In 2014, the DNR will become the sole regulating agency. There are approximately 150 active permits in the State, including a number of cities in the metropolitan area. Staff reviewed city codes of other cities and found that the definition is either “non-domestic animal” or a “farm animal.” Staff believes that the “non-domestic animal” is broader and includes a wider variety of animals. Staff would recommend keeping the definition of “non-domestic animal.” Several cities that allow falconry require a conditional use permit. Concerns about adverse impacts may include health, safety, noise and odor. The proposed text would permit a falconer to keep raptors, as per the three levels of Federal license: 1) Apprentice, allowed to have a single bird; 2) General falconer is allowed to have 2 birds; and 3) Master falconers can have 3 birds. This will change in 2014, when General falconers will be allowed 3 and Master falconers will be allowed 5. Using this standard allows more than one bird per parcel.

Accessory structures are necessary to house the birds. Current regulations require that it must be constructed and inspected prior to acquisition of the bird. The City’s regulations for accessory structures would apply. They are permitted in a side or rear yard only. Setbacks are not required from nearby dwellings and no setbacks are proposed in the amendments. The City’s regulations

do require a minimum 100-foot setback for non-domestic animals and a 30-foot setback for chicken coops.

Staff identified two issues with the proposed amendment. One is a matter of policy, whether keeping raptors is consistent with residential districts and reflects community values. The second issue is the language and structure of the proposed amendment. The proposed amendment would eliminate the 2-acre requirement and allow raptors as a permitted use in all residential districts with a wild animal license issued by the City Council. This raises issues with nearby residents, domestic pets, noise, odor, number of raptors permitted and regulations for structures to house them. The proposed amendment would allow the maximum number of raptors allowed under state and federal permits. He noted that there appears to be a disconnect for many municipalities between licensing and zoning regulations. Often public safety entities issue licenses, but there is no provision in the zoning code that would permit them. This can result in a license being issued for a use that is not permitted by the zoning code.

Notices were sent to residents within 350 feet of the applicant's property. Seven comments were received expressing concerns about adverse impacts of noise and odor and that raptors are not compatible in neighborhoods. Staff has a number of concerns about keeping raptors on small residential lots and the locations of housing structures. Although the use would likely not be prevalent in the City, progressive experience for a falconer might lead to Federal licensing that would allow an increased number of raptors to be kept by one resident. Staff recommends the Planning Commission forward the text amendment to the City Council for review with a recommendation to deny the application.

Commissioner Schumer asked the percentage of an acre of the size of the lot of the applicant. Mr. Warwick estimated one-third of an acre.

Commissioner Ferrington asked if a certain percent of the neighbors must agree to the application for a wild animal license in order to obtain such license. Mr. Warwick stated that there are no specified standards for a wild animal license and no percentage of neighboring property owners who must agree. He found only one community that requires the support of 75% of property owners within 150 feet.

Chair Proud asked if any health hazards were found in staff's research. Mr. Warwick stated that nothing was found. Staff of other cities reported no complaints or problems with them.

Chair Proud opened the public hearing.

**Ms. Linda Baschky**, Applicant, stated that staff's review indicates that requiring 2 acres of land area is to provide enough room for non-domestic animals and minimize impacts to nearby residents and land uses. The reason to redefine is to create consistency in all of the Code references and to make sure raptors are mixed and matched across the current definitions. The

reason for the definition of “farm animal” is to clarify falcons as a set of birds similar to eagles and kestrels rather than spread across a definition of non-domestic and wild animals. In practice, the number of falcons is restricted by housing adequacy--accommodating the wing span of one bird--which is inspected by the DNR. Most housing would only be adequate for one bird. A second bird would usually require a second structure. She would agree that there should be a 30-foot setback to any raptor housing from other another residential structure. Of the free raptors, 80% do not make it through the first winter. Those that do have a life span of 7 to 8 years. Housing them allows survival of up to 23 years. The impact to property values is the same as with a shed, kennel or hot tub. The operation would not be any noisier than training dogs. The sport is strictly regulated as to food and cleanliness. There is no colony. A lost bird would fly from people or human activity. They weigh only 4 ounces and are not capable of doing damage to property. Her raptor, a red-tailed hawk, would be used to train for small game hunts and field meets. Flight training would mean the bird is not completely free within city limits but is tethered or leashed. Falconry consists of training to look for specific prey. There would be no interest in children or pets because there would be no reward. Usually, if pestered, a raptor will retreat into its house. Besides the housing she plans to provide, there would also be provision for the raptor in part of the garage. If, for any reason, the bird became an issue or dangerous, the DNR would remove it.

She read two paragraphs from Dr. Redding’s letter that was included in the Commission’s packet. Dr. Redding is a professor and veterinarian at The Raptor Center. He lived in Shoreview for many years and kept raptors throughout that time. They are quiet and most neighbors do not know they are present. They are not aggressive and do not pose a threat to property. The circumstances to keep a raptor is nothing like keeping other wild animals. They do not create the mess of poultry or water fowl. It is the most closely regulated field sport in the country. A raptor is not purchased but must be caught by the falconer, according to strict regulations governing that activity.

Commissioner Schumer asked how long the applicant has been a falconer. She stated that she has been an Apprentice specifically for falconry a few months and has lived in her home six years.

Commissioner Wenner asked if other birds and animals would be affected when raptors come to the yard. Ms. Baschky stated that a housed raptor would be recognized by other raptors as owning the territory and they would keep away. Because it is housed, it would not be a detriment to songbirds.

Commissioner Ferrington asked if there is a structure in her yard. Ms. Baschky answered that there is a structure that was inspected and is insulated, which allowed her to get her Apprentice permit. It has same tiling as her house roof and the same siding. The fully enclosed ‘mew’ is 10’ x 8’; the outdoor ‘weathering’ is 8’ x 8’ and fully screened, as the red tailed hawk is susceptible to West Nile. It meets all the City requirements for an accessory structure and the

30-foot setback required for a chicken coop.

Commissioner Feldsien asked if her bird are always in captivity. Ms. Baschky stated that it would either be housed, weathered, leashed or tethered. A parachute chord of 80 feet is used for flight training.

**Ms. Laurie Naumann**, 2605 Roth Place, White Bear Lake, stated that she runs the falconry program for the State of Minnesota and is present to answer questions. The sport is over 3,000 years old. The birds are treated better than most domestic animals. They have to be weighed daily and closely monitored. Deciding to become a falconer is a way of life, not just a seasonal activity. The only time there has been an attack on humans is during the nesting season.

Commissioner Solomonson asked if it is common to have a number of birds. Ms. Naumann stated that typically only one bird is owned. She estimated a handful of falconers of the 130 in the state that have more than one bird.

Commissioner Feldsien asked who monitors all of the regulations. Ms. Naumann stated that the falconer does that. The bird is brought to the raptor center for any veterinary treatment.

**Mr. Brad Johnson**, Conservation Officer for DNR, Roseville, stated that he inspected Ms. Baschky's structure, and it meets all state requirements. It is the best facility he has seen in the 15 years he has done inspections. Lot size is not an issue in housing a raptor. What is key is the type of housing provided. He stated that Dr. Redig kept an eagle and there were no issues. A falconer must have many hours of training before an Apprentice is allowed to get a bird. He said that he is not endorsing the request, but present to answer questions and provide information about falconry.

Commissioner Feldsien asked the number of times inspections occur or ones he was recalled to inspect again. Mr. Johnson stated that housing is inspected when the handler's mastery of falconry increases. Re-inspection is not required, unless he hears of mistreatment or violations of regulations. He stated that he can count on one hand the number of times he was called for a violation. Each year falconers are required to submit a report to the U.S. Fish and Wildlife Service.

Chair Proud asked if falconry is inconsistent with residential neighborhoods. He asked what would happen if the tether broke. Mr. Johnson stated that songbirds come and go from the feeders. They do not stay away just because a raptor is present. If a raptor were to become free, it would probably fly away. Cats and dogs are not on their menu. It has happened, but it is not something they are used to eating because they are trained to hunt certain game.

Commissioner Ferrington asked about safety for children. Mr. Johnson stated that falcons are 2- and 3-pound birds. If a child approached, usually the bird would leave. They are not strong

enough to pick up a child.

Commissioner Schumer asked what they hunt. Mr. Johnson answered rabbits, squirrels, grouse, hares, pheasants. Hunting is not done in yards. It is done in fields where it is allowed, during hunting season, as regulated by the DNR.

**Mr. Frank Taylor**, White Bear Lake, stated that he has been a falconer for 40 years. He has cautioned people to put feeders in protected areas where songbirds have cover. Then hawks will usually not get them. Falcons are not mean and vicious but usually try to get away from people. He noted Dr. Reddig as the number one raptor expert in the world. The peregrine falcon was on the endangered species and it was falconers who saved the species.

Commissioner Feldsien asked when they make noise. Mr. Taylor explained that the screeching occurs when the young are begging for food from adults. However, an Apprentice would not be allowed to breed. In fact, very few falconers breed the birds. He only keeps one bird, a red tailed hawk that is quiet. A parrot is much louder than a raptor.

**Mr. Tony Nelson** 660 Oakwood Drive, stated that he lives adjacent to and behind Linda's property. While he appreciates her passion for the cause, the City does require two acres. At some time it was decided that was relevant. His concerns are odor and disease. With two small children and a dog, they spend a lot of their time is spent in the back yard. The housing structure is very visible. Half the housing is insulated, but the other half is open screen. Ms. Baschk's letter mentions a possibility of five minutes of screeching, and that is too much. He would like to know what recourse there would be for him. He is concerned that the structure is already built before this application is approved. There are no other neighbors here to support this issue. It is not in the best interest of the City or residents for falconry to be in a dense residential area.

**Mr. Ranjit Mohan**, 652 Oakwood Drive, stated that he has nothing against raptors. His fear is that screeching will impact him inside his house. He referred Commissioners to his objections in his letter.

**Mr. Taylor** stated that as an Apprentice, Ms. Baschky would only be allowed to keep a red tailed hawk or kestrel that has left the nest. There would be no screaming. Ms. Baschky added that even when something is done they do not like, there is no screeching.

Chair Proud asked if it is certain that screeching only occurs if the young are begging for food, or an adult is protecting the nest. Mr. Johnson stated they are capable of sound, but it is not incessant calling. They may make sound if alarmed. He has not heard incessant calling in mews or in the wild. A bird in the nest in the wild will be quiet unless it sees the parent. Then there is begging for food.

**MOTION:** by Commissioner Feldsien, seconded by Commissioner Schumer to close the public hearing.

**VOTE:** Ayes - 6 Nays - 0

Chair Proud stated that he does not believe this situation would result in any more noise than a leafblower or is more dangerous than a rock thrown by a lawn mower. However, he would not support this application because he believes there could be a better application that applies to this type of bird. He would support finding a way to allow falcons in the community.

Commissioner Solomonson stated that overall he supports the application and believes the concerns were addressed. However, more work is needed before the ordinance can be amended. He would require one bird on a property of less than two acres and none on a substandard lot.

Commissioner Ferrington commended the presentation and information. However, she agreed that the text amendment is not complete enough. She would like to see a certain percentage of neighbors within a certain distance have to approve a falcon on a lot size that is less than 2 acres. More work is needed to clarify the definitions in the ordinance.

Commissioner Wenner stated that the text amendment, as proposed, is not refined enough to give the City flexibility in applying the ordinance. He would want to involve the neighbors in the process but not require a percentage of support for an application.

Commissioner Schumer stated that he is reluctant to support this application on a property that is less than two acres. He would not agree with requiring a number of neighbors for support. The Planning Commission needs to make the decision. Building the mew before approval of the application is in the hope that the City will change the ordinance is putting the cart before the horse.

Commissioner Feldsien stated that any change has to be applicable city wide. Although a specific use, if supported, it becomes applicable throughout the city. Anything less than two acres raises the question of how small is allowable? There are 25- and 30-foot lots in the city. He suggested a density regulation--so many allowed within so many miles. Not everyone can have one. His neighbors have horses that are kept in a boarding stable. He suggested the same be done with falcons. The way the ordinance is written definitely needs more work before he could support it.

City Attorney Filla cautioned that in reference to a percentage of approval from neighbors, generally the City should not delegate decision-making to residents.

**MOTION:** by Commissioner Schumer, seconded by Commissioner Wenner that the City Council deny the proposed text amendment of Chapter 200 pertaining to the keeping of non-domestic animals. This recommendation is based on the

finding that this text amendment is not consistent with the spirit and intent of the residential districts.

VOTE:                      Ayes - 6                      Nays - 0

MOTION:      by Commissioner Solomonson, seconded by Commissioner Wenner that the Planning Commission generally supports falconry on lots of less than 2 acres and recommends to the City Council that the ordinance merits additional work to address concerns.

VOTE:                      Ayes - 5                      Nays - 1 (Schumer)

Discussion:

Commissioner Schumer stated that he does not support falconry lots of less than two acres.

Chair Proud called a break and reconvened the meeting.

**PUBLIC HEARING - CONDITIONAL USE PERMIT**

**FILE NO.:**                      **2380-09-38**  
**APPLICANT:**                **IMPERIAL HOMES/STEVE & JANET FISCHER**  
**LOCATION:**                      **5291 HODGSON**

City Attorney Filla confirmed that appropriate notice was given for this public hearing.

**Presentation by City Planner Kathleen Nordine**

Imperial Homes has submitted conditional use permit application for an attached accessory structure that would exceed the combined floor area permitted for all accessory structures for a single-family residential property in order to build a 4-car garage. The site is 2.59 acres with a lot width of 130 feet. There are two detached accessory structures on the property. The existing garage would be converted to a living space addition with a second story. A 4-car garage that exceeds 1,000 square feet would be attached. The height of the addition is 22 feet. The property is zoned RE. The maximum accessory structure allowed is 1,000 square feet or 80% of the foundation area, whichever is more restrictive. Due to the lot size of the property, the accessory structure will not dominate the property. The accessory structure will be 33% of the foundation area.

Staff believes the proposal complies with the intent of the Code. The dwelling unit will be over 5,000 square feet. From the front garage windows are seen that look like living space, not a garage. It is set back 673 feet back from Hodgson Road, and there is vegetation screening. The



primary visual impact would be to the property to the south. The setback is 10.2 feet from the southern property line, which exceeds the required 5-foot setback for an accessory structure. Foundation plantings and architecture features are proposed. One detached accessory structure will be retained. Staff believes this is reasonable as it is well screened.

Property owners within 350 feet were notified of the proposal. One comment was received in support. Another comment expressed concern regarding impervious surface coverage and storm water management. Lot coverage is required at 20%; the proposal is 21%. The builder has indicated he will work to reduce lot coverage to comply with the City regulation.

Commissioner Schumer asked if anyone talked to Mr. Johnson about his letter indicating 28% lot coverage. Ms. Nordine stated that the 28% is a result of a survey that was not complete. The amount of 21% is correct, and she will convey this information to Mr. Johnson.

Commissioner Solomonson asked if this property would potentially be subdivided. Ms. Nordine stated that the parcel would meet the minimum area for subdivision, but the width would be of concern. Also, Code requires parcels to have frontage on a public road, and a variance would be needed in this situation.

Commissioner Ferrington encouraged the builder to consider pervious pavers and a rain garden in response to Mr. Johnson's concerns.

**Mr. Rich Remiersma**, stated that he represents the applicants. He acknowledged Mr. Johnson's letter and will talk to the owners about using pervious pavers. He would like to know if the pervious pavers would count toward the reduction of impervious surface to 20%.

Chair Proud opened the public hearing. There were no comments or questions.

**MOTION:** by Commissioner Schumer, seconded by Commissioner Feldsien to close the public hearing.

**VOTE:** Ayes - 6 Nays - 0

**MOTION:** by Commissioner Solomonson, seconded by Commissioner Schumer to recommend the City Council approve the Conditional Use Permit for an accessory structure submitted by Imperial Homes - Steven and Janet Fischer, 5291 Hodgson Road North, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted with the applications. The attached garage shall not exceed 1883.7 square feet in size, and the total floor area of all accessory structures shall not exceed 2,134.62 square feet. Any significant changes to these plans, as determined by

5. The accessory structures on the property shall be used for personal use only and no commercial use/commercial related storage is permitted.

1. The proposed garage area will not have a negative impact on the surrounding properties since the attached garage is visually integrated into the house design and will be used for personal storage purposes.
2. The proposed garage area is not a dominant feature of this property or home due to the large lot area, location of the home on the property and size of the home.
3. The land use complies with the designated land use of the Comprehensive Plan.
4. The proposal meets the spirit and intent of the ordinance as identified in items 1 to 3 above.

Commissioner Schumer expressed his appreciation to the applicant for working to achieve the 20% impervious surface requirement.

## PUBLIC HEARING – CONDITIONAL USE PERMIT

**FILE NO.:** 2384-10-02  
**APPLICANT:** MARK CHRISTOPHERSON  
**LOCATION:** 400 HORSESHOE DRIVE E.

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Notice was published for the public hearing. After the applicant contacted the City, staff notified nearby property owners that the matter would be tabled. City Attorney Filla noted that the public hearing would have to be republished for the next meeting. No further action is needed.

**VARIANCE**

**FILE NO.: 2383-10-01**  
**APPLICANT: DAVID JOHANNSON**  
**LOCATION: 430 HORSESHOE DRIVE**

**Presentation by City Planner Kathleen Nordine**

This application is for a variance needed in order to tear down the existing garage and build a new one. The new garage would be placed in the same location but reoriented to align with the house. The proposed side setback is 4 feet and front setback at 9.97 feet. Both setbacks are less than the Code requirement. Therefore, a variance is needed.

The property is a substandard riparian lot on the north side of Lake Owasso in the R-1 Residential District. The lot width is 40 feet. In 2008, the applicant reconstructed the home and received a variance to exceed the maximum foundation area permitted and reduce the side setbacks for the house. Also, the front setback of the garage was reduced from the required 20 feet to 15 feet. However, the garage was not constructed and the variance for it expired. The applicant now seeks a front and side variance to replace the old 410 square foot garage with a new one the exact same size on the same footprint. The height would be 18 feet with a roof pitch to match the house. Realignment of the garage changes the setbacks slightly to a 9.97 front setback and 4-foot side setback. The setbacks for the current garage are 10.6 feet from the front property line and 4.57 feet from the side property line.

These setbacks are driven by the amount of impervious surface coverage and the narrow width of the lot, and staff is supportive of the variances due to these constraints. Shoreland mitigation measures chosen by the applicants are architectural mass and reduction of impervious surface. The character of the neighborhood will not be altered. Many of the homes in this area have detached garages adjacent to the street. Staff believes hardship is present due to the property characteristics with the small width and size. There is a depth of 22 feet from the garage to the street, which is a minimum for parking one vehicle. If the garage is pushed back there would be an issue with impervious surface. The limit for impervious surface is 30%.

Notices were sent to property owners within 150 feet of the property. One comment was received in support of the project. That property owner expressed concern that the garage is too narrow at 18 feet. Staff is recommending approval.

Commissioner Ferrington, noting the garage is a minimum double size, asked the reason the garage is not bigger to take up some of the concrete slab that surrounds the garage. It would be good to have more room in the garage for storage. Her concern is spending the money for a garage that will be inadequate for storage. Ms. Nordine stated that the maximum foundation area approved with the previous variances is 1600 square feet. Currently, they are at 1597 square feet. The foundation area of the home was increased, which decreased the size for the garage.

Commissioner Schumer asked if a variance would be needed if the new garage were put on the old footprint without the reorientation. City Attorney Filla stated that a non-conforming structure can be rebuilt as long as the size is not increased. Ms. Nordine stated that the increased height and change in setback require the need for a variance.

Commissioner Feldsien asked about screening for trash cans or any outside storage. Commissioner Schumer clarified that the screening issue is when trash cans are placed in front or on the side of the garage. Ms. Nordine added that trash cans also need to be screened from the view of neighbors.

**Mr. Johannson**, Applicant, stated that he is planning to screen the trash cans. The original structure has been there since the 1920s and new concrete poured on old concrete. The footings have to be replaced.

**MOTION:** by Commissioner Feldsien, seconded by Commissioner Schumer to approve the variance requests submitted by David Johannson, 430 West Horseshoe Drive, to construct a new garage on the property; reducing the front yard setback to 9.97 feet and setback to the south property line at 4 feet, subject to the following conditions:

1. The project must be completed in accordance with the plans submitted as part of the variance application. Any significant changes to these plans, as determined by the City Planner, will require review and approval by the Planning Commission.
2. This approval will expire after one year if a building permit has not been issued and work has not begun on the project.
3. This approval is subject to a 5-day appeal period. Once the appeal period expires, a building permit may be issued for the proposed project. A building permit must be obtained before any construction activity begins.
4. Impervious surface shall not exceed 30% of the lot area as a result of this project.
5. An erosion control plan shall be submitted with the demolition permit application and implemented during demolition and construction of the new garage.
6. The applicant must obtain a Detached Accessory Structure Permit for the garage.

The approval is based on the following findings:

1. The request is reasonable due to the existing location of the garage, limitations on foundation area and impervious surface coverage.
2. Hardship exists due to the site characteristics, existing location of the garage and other site improvements, including the house orientation. The property is a substandard riparian lot with a narrow lot width and small lot area. The existing garage currently encroaches upon the required setback and the proposed garage setbacks, while slightly less than the existing setbacks, will not have an impact on the adjoining properties or driveway parking area.
3. The proposed setback variances will not alter the character of the neighborhood. Lakeshore properties within this neighborhood have detached garages adjacent to the street which are similarly situated.

VOTE:                      Ayes – 6                      Nays – 0

**MISCELLANEOUS**

**City Council Assignments**

Commissioners Feldsien and Solomonson will respectively attend the February 1<sup>st</sup> and February 16<sup>th</sup> City Council meetings.

**Planning Commission Workshop**

Chair Proud noted the Planning Commission workshop is scheduled at 6:15 prior to the regular February 23<sup>rd</sup> meeting. He asked the topics that will be considered. Ms. Nordine stated that the discussion will be on signs and infill redevelopment.

**ADJOURNMENT**

MOTION:      by Commissioner Schumer , seconded by Commissioner Feldsien to adjourn the January 26, 2010 Planning Commission meeting at 9:38 p.m.

VOTE:                      Ayes - 6                      Nays - 0

ATTEST:

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Kathleen Nordine  
City Planner